

REMARKS

Claims 1-25 are pending in the application; the status of the claims is as follows:

Claims 1-4, 7-12, 17-20, and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,153,730 to Nagasaki et al ("Nagasaki et al").

Claims 5 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagasaki et al in view of U.S. Patent No. 5,067,029 to Takahashi ("Takahashi").

Claims 15, 16, and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagasaki et al.

Claims 21-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagasaki et al in view of U.S. Patent No. 6,583,893 B1 to Satoh et al ("Satoh et al").

Claims 13 and 14 are objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received, is noted with appreciation.

The indication, in the Office Action, that the Examiner has no objections to the drawings filed on December 18, 2000, is noted with appreciation.

The objection to the title of the invention as not being descriptive is noted and a new title is presented in this Amendment which is clearly indicative of the invention to which the claims are directed. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

35 U.S.C. § 102(b) Rejection

The rejection of claims 1-4, 7-12, 17-20, and 24 under 35 U.S.C. § 102(b) as being anticipated by Nagasaki et al, is respectfully traversed because the cited reference fails to disclose each and every element of the claims, arranged as required by the claims, and in as complete detail as is contained in the claims. MPEP 2131

With respect to claim 1, it is respectfully submitted that although Nagasaki discloses “a first medium” and “a second medium,” the reference fails to disclose “a temporary memory” as required by claim 1. The Office Action states in paragraph 4 that “the three-state buffer (17) is viewed by the examiner as a temporary memory.” This is clearly incorrect. Nagasaki states that “gate circuit 17, ... is a three-state buffer.” A gate is a logic device having one output and one or more inputs in which the signal at the output is a function of the contemporaneous values of the input signals. A three state device is one in which the output may be driven high or low, or not driven at all. The New IEEE Standard Dictionary of Electrical and Electronic Terms. Fifth Edition, 1993. That is, when in the high or low state the device is driving the output with a corresponding high or low signal. However, in the third state, e.g. high-impedance state, the output is not driven. Three-state buffers are typically used when connecting multiple devices to a common bus. Devices that are not actively sending data on the bus put their respective three-state buffers into a high-impedance state to prevent interference with other devices that are actively using the bus. It is respectfully submitted that gate circuit 17 is not a temporary memory. Accordingly, claim 1 does not read on Nagasaki.

With respect to claim 2, Nagasaki fails to disclose a “temporary memory” as applied above in respect of claim 1. Moreover, even assuming *arguendo* that Nagasaki discloses a temporary memory, Nagasaki still fails to disclose that image data is copied from the temporary memory to the second medium and then to the first medium “on the condition that said second medium has a higher recording speed than said first medium.” Accordingly, claim 2 distinguishes Nagasaki.

With respect to claims 3 and 4, it is respectfully submitted that they distinguish Nagasaki for at least the same reasons as their respective base claims. Moreover, Nagasaki fails to disclose a controller that performs a task in parallel with “recording said captured image from said second medium to said first medium,” as required by claims 3 and 4. It is noted that the Office action states at the end of paragraph 5 that “it is viewed that the *camera* can perform a plurality of tasks;” however, what is claimed is that the *controller* can perform a plurality of tasks in parallel.

With respect to claims 7 and 8, it is respectfully submitted that Nagasaki fails to disclose a temporary memory as applied in respect of claims 1 and 2. Moreover, even assuming *arguendo* that Nagasaki discloses a temporary memory, Nagasaki still fails to disclose that image data is copied from the temporary memory to the second medium and then to the first medium “when said second medium has enough free space for recording said captured image stored in said temporary memory.” Accordingly, claims 7 and 8, which depend from claims 1 and 2, distinguish Nagasaki.

With respect to claims 9 and 10, it is respectfully submitted that Nagasaki fails to disclose a camera having a controller that can perform a second task at the same time it is capturing an image. Indeed, Nagasaki discloses the opposite: “during non-operating of the image pick-up means, the control means reads the digital signals from the primary recording means, and the image-signal processing means processes the digital signals, converting them into image data, and the secondary recording means records this image data.” Column 3, lines 1-6; column 6, lines 31-57. Therefore, Nagasaki cannot be said to disclose “a controller capable of performing a plurality of tasks in parallel, said controller when performing a first task to record said captured image on a medium which is selected as a subject of recording out of said plurality of media, performing a second task which is different from said first task to perform predetermined processing on a medium which is not said subject of recording,” as required by claims 9 and 10.

With respect to dependent claims 11-12 and 17-20, it is respectfully submitted that they distinguish Nagasaki for at least the same reasons as the claims from which they depend.

With respect to claim 24, it is respectfully submitted that Nagasaki fails to disclose performing a task of communicating with an external device at the same time it is copying an image to a storage medium. The only concurrent processing discussed by Nagasaki is that processing sections 32 and 33 share a local bus and memory and thus, "sections 32 and 33 can operate independently of the other components which are connected to the common bus line 18." The clear implication is that bus line 18 can only be used for one task at a time, e.g., copying an image to memory or transmitting an image via I/O port 38. Accordingly, Nagasaki does not disclose a digital camera that "performs, in parallel, a task of recording said captured image on said first medium and a task of establishing data communications with said external equipment," as required by claim 24.

Accordingly, it is respectfully requested that the rejection of claims 1-4, 7-12, 17-20, and 24 under 35 U.S.C. § 102(b) as being anticipated by Nagasaki et al, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejections

The rejection of claims 5, 6, 15, 16, 21-23, and 25 under 35 U.S.C. § 103(a), as being unpatentable over Nagasaki et al by itself, or in view of Takahashi or Satoh et al, is respectfully traversed because the references fail to teach or suggest all the elements of the rejected claims.

With respect to claims 5 and 6, which depend from claims 1 and 2, respectively, it is submitted that they distinguish Nagasaki for at least the same reasons as their respective base claims. That is, Nagasaki fails to disclose a camera having a temporary memory, a first medium, and a second medium; or that image data is copied from the temporary memory to the second medium and then to the first medium "on the condition that said

second medium has a higher recording speed than said first medium.” The other cited references also fail to disclose these features of claims 5 and 6. Accordingly, claims 5 and 6 distinguish the cited art.

With respect to dependent claims 15, 16, and 25, it is respectfully submitted that they distinguish Nagasaki for at least the same reasons as the claims from which they depend. It is further submitted that none of the cited art teaches or suggests a camera having a processor that prints an image *at the same time* it is recording an image to a storage medium. For example, Nagasaki teaches that processing sections 32 and 33 have separate local bus 36 so they may operate independently of devices on main bus 18, thereby suggesting that main bus 18 may only be used for a single tasks at a time. Therefor, Nagasaki cannot suggest that an image is copied to a memory card over bus 18 at the same time an image is sent over main bus 18 to I/O port 38 for communication to a external device such as a printer or another camera. The other references of record also fail to teach or suggest recording an image in memory at the same time it is communicated or printed.

With respect to claims 21-23, it is respectfully submitted that the cited references fail to teach or suggest a camera that can capture or process an image while at the same time communicating with another camera. Indeed both Nagasaki and Satoh teach that additional tasks are only performed when the camera is not in a picture taking mode. For example, Nagasaki teaches “during non-operating of the image pick-up means, the control means reads the digital signals from the primary recording means, and the image-signal processing means processes the digital signals, converting them into image data, and the secondary recording means records this image data.” Column 3, lines 1-6; column 6, lines 31-57. Satoh teaches that a picture taking mode and transmission mode are mutually exclusive operational modes. For example, trigger switch 2 causes an image to be captured in the picture taking mode but causes transmission to start in transmission mode. Fig. 10 and column 13, lines 41-47. Because the references cannot fairly suggest a camera that captures or processes an image at the same time it is communicating with another

camera, the references fail to teach or suggest "performing a first task related to a photographing operation or recording of a captured image while performing a second task for data communications with said second digital camera through said transmission medium," as required by claim 21 and claims 22-23 which depend therefrom.

Accordingly, it is respectfully requested that the rejection of claims 5-6, 15-16, 21-23, and 25 under U.S.C. § 103(a), be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.


If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

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Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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